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ABSTRACT

This paper describes the process undertaken by the Meneley Elementary School in Douglas County, Nevada, to develop a plan for shared governance. In 1989, the school became a participant in the Nevada School Improvement Project (SIP). The new governance plan established a Decision Making Council (DMC), composed of representatives from each grade level, special services, classified personnel, the Parent Advisory Committee chairperson, and one administrator, who based their decisions on consensus. The program has helped the school make the transition from a traditional to a year-round calendar, rerouted teacher-principal grievances, and increased ownership and accountability. However, the school is currently experiencing issues involved in moving from school improvement to school-based management. Problems include a lack of district guidelines and support, training, and alignment between school site and district goals. Another difficulty lies in determining council membership. A conclusion is that school-based management should be developed site by site, not through top-down legislation with a fixed set of rules. A list of council decisions related to the implementation of the year-round calendar and a copy of Senate Bill 91, which allows school-based management in Nevada, are included. (LMI)

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ED 360 706

DECISIONS! DECISIONS! DECISIONS!!! SHARED GOVERNANCE: A BLESSING FOR IMPLEMENTING YEAR-ROUND SCHOOLING.

by
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Consider the following words of wisdom:

"Productivity is a we thing, not a me thing." (Roger and David Johnson)

"It's not the absence of problems that makes an effective school, it's the ability to address them." (Nancy Aronson 1990)

"If a school is to foster educated citizenship for a democracy, then the school itself must be an example of a democracy..... The substance of a school democracy is the decisions that improve the education of students, both collectively and individually, and the quality of educational life for the entire school community." (Carl Glickman 1993)

"Two heads are better than one." (Your Mom)

Wisdom and common sense tell us that decisions based on shared values and made by the stakeholders in those decisions who are responsible for acting are going to have more commitment and chance of success than those that don't. Along with common sense, there is a good deal of research both in and out of schools that corroborates this basic tenet (Glickman 1993, Peters and Waterman 1982, Sergiovani 1992). Although there is little empirical research on site-based management, some researchers claim that schools are unlikely to make meaningful changes without greater site autonomy (David 1985).

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HISTORY OF OUR INVOLVEMENT IN SHARED GOVERNANCE

The following is an explanation as to how we at Meneley Elementary School developed a plan for shared governance. We will present a brief description of our history and experience with shared governance; the specific details of our decision making process; some of the decisions that have been made; and finally speculation as to the future of our efforts at shared governance.

In 1989 the staff at C. C. Meneley Elementary School decided to become involved with the Nevada School Improvement Project (SIP) in an effort to assess our collective strengths and areas of growth. We felt as if we were a good school that would always have room for improvement.

In the spring of 1990 we were provided with an in-service on the school improvement process by Carolyn Simpson from the Nevada State Department of Education. Following the in-service a staff vote decided to follow through with school improvement. The School Improvement Project is based on the research of Ron Edmonds and Larry Lezotte and facilitated by the Nevada State Department of Education.

In the fall of 1990, we selected our SIP Study Team. The team consisted of a representative from each grade, kindergarten through 6th, special services, classified, and administration. This group later became known as the Decision Making Council (DMC). The staff both certificated and classified, as well as students, were part of a needs assessment. Once the survey results were back we were involved in a two day in-service to develop a mission statement and analyze the data to develop goals.

By December of 1990 we developed a mission statement, "Through caring and co-operation, the C. C. Meneley Elementary School community empowers individuals to be exceptional. Exceptional individuals possess the life skills to be successful now and in the future." We also developed three broad goals, one relating to staff development, including higher level thinking; another related to promoting interaction between school and the community, and increasing parental involvement; and the third major goal was to promote and celebrate respect, responsibility, and learning. Although it wasn't our express intent, we now had a representative decision-making body and the beginning of a shared vision. We were at the threshold of a powerful site-based method of shared governance.

Next it became clear to us that we needed to find, now that we had the goals, what we would do about them specifically, and how we would generate staff-wide support. Consequently, we needed to develop a site-based decision making plan or a set of decision-

making by-laws. In doing so we relied heavily on the work of Carl Glickman from the University of Georgia. He had visited Nevada several times through LEAD Conferences and written a monograph (Glickman 1989) which provided a basis for our plan. A plan for decision making was put into writing. It is interesting that the plan was brought to the School Improvement Committee a half a dozen times or more until, after much discussion and many changes, it was approved. Staff members now knew how we would decide, and exactly what was at stake once decisions were made. At this point the School Improvement Committee became the DMC.

As will be stated later in an examination of the plan, staff members were very clear about the fact that anything the Decision Making Council decided would be the way we would do business. Dissenting opinions had to be dealt with prior to, not following decisions by the DMC.

MENELEY DECISION MAKING PROCESS

The Decision Making Council's objectives are to:

- improve learning opportunities;
- insure ownership of goals;
- problem identification and solution, and
- school-wide support.

The Decision Making Council has representatives from each grade level, special services, classified, the school's Parent Advisory Committee chairperson or their designee, and an administrator. Each group selects their representative. The Council has an obligation to make, communicate, and evaluate decisions. A chairperson is selected who establishes an agenda and conducts the meetings. The administrator is the secretary. Any decision that would improve teaching or learning and affects all staff members is purview of the Decision Making Council. Any staff member on or off the DMC who has an idea that would enhance teaching or learning, forms a task force. The task force develops a written plan for presentation to the DMC.

Some important guidelines for staff members regarding DMC or any task force are the following:

- anyone can attend any meeting, at any time.
- every staff member is expected to be involved, and/or at the least, informed.
- approval of a plan by the DMC makes that plan policy and all staff must follow that policy until the project expires or is changed by another DMC vote.

A task force brings a written plan to the Decision Making Council. Upon sharing the plan, members of the Council can ask questions or express concerns, but they must vote to accept or reject the plan

as is. In order for a plan to become policy, it requires a ten to zero vote on the first ballot. Anyone voting NO must be specific as to how the plan could be improved. In the event it is unsuccessful, it may be brought back to the DMC any time after three working days for a re-vote. At that time a seven to three vote will carry the issue.

A summary of the highlights of the plan is attached.

MORE DECISIONS!

Generally votes result in consensus because the task force has incorporated the feedback from any DMC member voting NO into their plan. One task force working on a grading policy came back to the DMC a half a dozen times even though they had enough votes to pass the issue at the second meeting. They chose to work toward consensus.

SHARED DECISIONS

One would have predicted that such a decision making process would inhibit action. Just the contrary has been true. Teachers seem to take action on issues that are important to them.

DMC was especially important as we made the transition from a traditional to a year-round calendar. This was a major restructuring effort that involved classroom space, furniture needs, storage needs, curriculum issues, parent communication, room contracts, tracking of students, etc.

In August we made a list of all the issues we thought were important, calendared those, and decided on them one at a time through the DMC process. Consequently our transition to year-round was extremely smooth.

An interesting development was the task force related to storage in a year-round school. That task force was allocated $10,000 to study the problem, visit schools, obtain catalogs, price what needed to be purchased, and survey teachers. In the end they were under budget with a plan that worked for the entire staff.

Another interesting development was a curricular issue that a teacher had intended to "grieve" the principal concerning the use of videos. The principal told the teacher he couldn't be "grieved" for monitoring instruction, but if there could be an improvement in the video policy, it should be taken to the DMC. In taking this

policy to the DMC, a compromise was reached and the video policy was changed to meet the needs of teachers, as well as others. The change also ensured that administration would be able to monitor the curriculum.

Several of the decisions related directly back to the goals we established from our school improvement experience. We celebrate students now with a "Superstar of the Day" program. We are currently working on students as Conflict Managers and have instituted "Student Theme Day".

In terms of our community relations, we have a volunteer recognition program which encourages and recognizes our volunteers in a more sophisticated manner. We also have a "Career Day" every other year which brings in community members from a variety of careers to explain their work. We have a School-Business Partnership with McDonald's and do several activities with them including clean-up of a two mile stretch of highway with their employees.

By way of improving our talents, we had two staff-wide in-services on the Talents Thinking Program. The first one was in 1990/91. The second was in 1992/93, an in-service on resiliency that provided us with more ways to meet the needs of our students at risk. We are now redesigning our approach to students at risk as a result of that in-service.

Fifty-four issues came before the DMC. Most of the decisions have been what Glickman (1993) would term "zero" or "minimal impact" decisions that dealt with adult concerns or had less direct influence on student learning. A few were "core-impact" decisions", those that dealt more fundamentally with teaching and learning over the long term. Nineteen were related to year-round. Although they have not all been of earth-shaking importance, we are poised and ready to take on any issue including budget, staffing, and other issues considered "comprehensive-impact decisions". The nature of the decisions made were evidence of the developmental nature of the shared governance process.

Teachers comment that the democratic running of our school has promoted ownership and accountability in the school. It encourages teacher involvement and voicing of opinions. This tool, the DMC, gives staff a way to change and improve. It has made our planning and follow through time effective. It has become an efficient means toward moving us to core impact decisions that have the ability to dramatically affect teaching and learning at our school.

The development and use of a site-based decision making plan is clearly a growth process. Our actual plan, as written in the appendix of this document, has changed several times. Most recently we changed it as the result of a year-round calendar which has one-fourth of the staff gone at any given point in time. Initially it was difficult to get one volunteer per grade level to be involved with the school improvement team. After the first year

of making decisions when the staff saw the power of the group and the importance, there was competition in grade levels for who would be the representative. The plan also changed in that anyone not in attendance at DMC meetings was considered an automatic YES vote. DMC members felt that if a task force is formed, a written plan developed on their time and with their own energy for the improvement of the school, it behooved DMC members to be in attendance to vote on those plans. On several occasions the staff has seen that decisions did not go the administrator's way. This made it clear to the staff that the Decision Making Council was for real and not just a clever way for the principal to have things his way.

We are still learning, adapting our plan, and just beginning to see the potential of what can be done when we develop a shared vision and have a way to make decisions related to seeing that vision become reality.

WHERE DO WE GO FROM HERE?

Although we wouldn't say we are all dressed up with no where to go, we're getting dressed, and not sure where we're headed. There is still much we could do at the site level and we intend to do so. We are currently experiencing some of the issues described by others who have gone from school improvement to site-based management (Harrison, et al. 1989). We are somewhere between school improvement and true site-based management. The District hasn't defined where site-based management fits into its overall plan. We need more training.

At the district level in Douglas County we have no guidance, encouragement, discouragement, policy, and little conversation related to site based decision making. On the other hand, in the State of Nevada there was an interest in mandating site-based management with the introduction of Senate Bill 91 and Assembly Bill 291. After being involved for two and half years at the hands-on level, we feel we've earned the right to make comments in both areas.

Currently Douglas County is looking at a strategic plan. We can only hope that our strategic plan will address the issue of site-based decision making which will proliferate regardless of district support.

We are all still working towards the same goals, so it would be prudent to develop guidelines, parameters, policies, training, etc. to make site-based governance in alignment with district goals. If this doesn't happen, there will certainly be times when unnecessary conflicts develop. A case in point involved intramural stipends. Each school gets five stipends that must be used in prescribed ways. We simply asked that we get the funding for five stipends so

we could allocate the money according to the needs of our site. Instead of having a computer club, if there were not an interest on the part of students, we could have a fine arts club or any other activity that teachers would propose and the DMC would support.

At the state level, with the advent of SB91, we have a top-down directive about a bottom-up initiative. In addition to that conflict at the onset, there are several others. A site-based plan needs to be developed at the site. They must determine their constituents, voting procedure, meetings, and what the range of council decisions would be. For example, at our site, although we have offered, there has been no interest on the part of the staff in taking over the school budget. Teachers prefer that administrators handle budget.

Some specific criticisms and questions raised by SB91 include the make-up of the Council. Is one administrator, three teachers, and three parents the best representative group? Is it necessary for the principal to chair it? Does having three parents on the committee assume that parents have the expertise to make decisions about the day-to-day operations at school? Our council is biased with more classroom teachers than any other group because the job of teaching gets done between the teacher and the class. Some of the power that site councils under SB91 are probably beyond what they would be ready to tackle initially. For example, hiring. Would a council then have the obligation to observe, evaluate, and determine post-probationary status or not? If they were voting on text books and the complexion of the council changed, where would the money come from to buy the newly adopted texts? How would there be co-ordination between schools in a district if each school determined its own curriculum? Is a one year membership on the site-council long enough to make significant changes?

Finally, we think it is interesting that the state would require individual sites to do something that districts don't do. Districts aren't expected to have a clearly defined procedure for decision making.

The law does recognize however, that school sites are where teaching and learning are taking place. It takes advantage of the fact that decisions about the work to be done should be made as close to the job as possible. The law, if one is to be written, simply ought to say that, "Each site will develop a decision making plan that makes use of input from staff, students, parents, and community members and submit their plan to the state superintendent." Those plans will then be developed, change, and grow to meet the needs of that site and that community, as well as the readiness of those involved.

SUMMARY

As a staff we have just begun to realize the potential of shared governance. There is much to learn and do. We are just on the threshold. It's a movement that is going to have to be developed site by site, not by top down legislated prescriptions. "Site-based management is not a fixed set of rules. It is the opposite of prescription; in fact, by definition it operates differently from one district to the next and from one school to the next and from one year to the next." (David 1989) From our experience, these represent further words of wisdom.

REFERENCES

Aronson, N. (1990). "Developing Consensus in Schools." Presentation at Project Lead Conference March 30, 1990 Reno, NV.

David, J. L. (1989). "Synthesis of Research on School Based Management." Educational Leadership 46: 52, 45-53.

Glickman, C. D. (1989). Shared Governance at Oglethorpe High School. Athens, Ga.: Monographs in Education.

Glickman, C. D. (1993). Renewing America's Schools - A Guide for School Based Action. San Francisco, CA: Jossey-Bass. p 32.

Harrison, C. R., J. P. Killion, and J. E. Mitchell. (1989). "Site-Based Management: The Realities of Implementation." Educational Leadership 46: 55-58.

Paslov, E. T. (1990) Nevada School Improvement Project. Nevada Department of Education. (A Handbook for Schools).

Peters, T. J., and R. H. Waterman (1982). In Search of Excellence. New York: Harper Collins.

Sergiovanni, T. J. (1992). Moral Leadership. Getting to the Heart of School Improvement. San Francisco, CA.: Jossey-Bass.

LIST OF DECISIONS

RELATING TO YEAR-ROUND

- Double Tracking
- Rainbow Day
- Storage
- Roving
- Room Contracts
- Class Balance - Discussion
- Changing of DMC Members
  - Off-Track Alternates
- School Summer Hours
- Intersession
- YRE Event Calendar
- Recognition of Volunteers (1,200 hours +)
- Superstar of the Day
- Raley's Receipts for Books
- Use of I, W, N Grading
- Inservice
  - Talents 1990-91
  - Resiliency 1992-93
- Staff Communication
- Personal/Grade Level
- Yearly Calendar
  - Assemblies
  - Events
- Tracking of Students
- Track Appeal
- Schedules
- No Duty for Roving Teachers
- Attendance at National/Regional YRE Conferences
- Parent Meetings
- Staff Communication to Off-Track Teachers
- DMC Plan Becomes Policy for All
- Student Volunteer Program
- Career Day
- Shade Awnings
- Costume Day (Book/Nevada History)
- Learn-a-Thon Fund Raiser
- DEAR Reading Time
- DMC Representative to Help Select Vice Principal
- Texts/Supplies
- Reading Incentive Programs
- Special Ed/Reading Schedule

- Oldest Child Only
- Adopt a Business, McDonald's
  - Bulletin Board
  - Celebrate Employees
  - Ronald McDonald House Food Drive
  - Fund Raiser
  - Adopt a Highway
- Student Theme Days
- Conflict Managers
- School Hours
- Use of Videos
- Homework Club (Advisory)
- Student Folders
- Help to Hurricane Andrew Victims
- Management by Teaching Around
- 3:00 P.M. Traffic Problems

SENATE BILL NO. 91—SENATORS ADLER, TOWNSEND, BROWN, CALLISTER, COFFIN, GLOMB, HICKEY, NEVIN, RAWSON, RHOADS AND SMITH

JANUARY 21, 1993

Referred to Committee on Human Resources and Facilities

SUMMARY—Allows school-based decision making in public schools. (BDR 34-259)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in italics is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to education; allowing school-based decision making in a public school upon the approval of the teachers of that school; requiring the board of trustees of each school district under certain circumstances to designate the schools in which school-based decision making must be carried out; requiring the board of trustees of each school district to prescribe rules relating to school-based decision making; requiring the creation of a school council in certain schools; allowing school councils to select the employees of and the textbooks to be used in the school; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 386 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 14, inclusive, of this act.

Sec. 2. *In any public school in this state in which not less than two-thirds of the teachers assigned to teach at the school have voted in favor of adopting a program of school-based decision making, the board of trustees of the school district in which the school is located and the principal of the school shall cause such a program to be carried out.*

Sec. 3. *1. Except as otherwise provided in subsection 2, on or before July 1, 1994, the board of trustees of a school district in a county whose population:*

(a) Is 35,000 or more but less than 100,000, shall submit to the superintendent of public instruction the name of at least one elementary school; and

(b) Is 100,000 or more, shall submit to the superintendent of public instruction the names of at least one elementary school, one middle or junior high school and one high school,

in which not less than two-thirds of the teachers assigned to teach at the school have voted in favor of adopting a program of school-based decision making.

2. If, on or before July 1, 1994, the teachers assigned to teach at the school have not voted in favor of adopting a program of school-based decision making in:

C

(a) At least one elementary school in a school district in a county whose population is 35,000 or more but less than 100,000, the board of trustees of the school district shall designate one elementary school in the school district in which a program of school-based decision making must be carried out.

(b) At least one elementary school, one middle or junior high school and one high school in a school district in a county whose population is 100,000 or more, the board of trustees of the school district shall designate one elementary school, one middle or junior high school and one high school in the school district in which a program of school-based decision making must be carried out.

3. If a school is the only elementary school, middle or junior high school, or high school in a school district, it must not be designated by a board of trustees pursuant to subsection 2.

Sec. 4. *1. Except as otherwise provided in subsection 2, on or before July 1, 1995, the board of trustees of a school district in a county whose population:*

(a) Is less than 35,000, shall submit to the superintendent of public instruction the name of at least one public school in the school district; and

(b) Is 35,000 or more, shall submit to the superintendent of public instruction the names of not less than one-third of the schools in the school district, in which not less than two-thirds of the teachers assigned to teach at the school have voted in favor of adopting a program of school-based decision making.

2. If, on or before July 1, 1995, the teachers assigned to teach at the school have not voted in favor of adopting a program of school-based decision making in:

(a) At least one school in a school district in a county whose population is less than 35,000, the board of trustees of the school district shall designate one school in the school district in which a program of school-based decision making must be carried out.

(b) At least one-third of the schools in a school district in a county whose population is 35,000 or more, the board of trustees of the school district shall designate at least one-third of the schools in the school district in which a program of school-based decision making must be carried out.

3. If a school is the only elementary school, middle or junior high school, or high school in a school district, it must not be designated by a board of trustees pursuant to subsection 2.

Sec. 5. *The board of trustees of each school district shall prescribe rules relating to the creation and administration of a program of school-based decision making at the schools within the school district. The rules must provide:*

1. For the creation of a school council and the election of its members;

2. For the interaction of parents and other members of the community with the school council;

3. The requirements for recordkeeping by the school council;

4. The procedures for appealing a decision of the school council;

5. The procedures for a school to obtain a waiver of the rules of the school district;

6. A method for the determination of the progress of a pupil;

7. A method for the reporting of the progress of a pupil to that pupil, his parents or guardians, the board of trustees and the state board;

8. Plans for the improvement of the schools within the school district; and

9. A method for the allocation of money to schools that have adopted a program of school-based decision making and for the administration of the budget of the school district.

Sec. 6. *1. The principal of a school in which a program of school-based decision making is required to be carried out pursuant to sections 2 to 14, inclusive, of this act, shall create a school council, consisting of the following members:*

(a) Three parents;

(b) Three teachers; and

(c) The principal of the school or his designated representative.

2. Each parent and teacher who is a member of the school council shall serve for a term of 1 year.

3. A teacher who is a member must be elected by the teachers assigned to teach at the school. A parent who is a member must be elected by the voting members of the parent-teacher association of the school or its functional equivalent.

4. The principal of the school or his designated representative shall serve as chairman of the school council, and shall determine the frequency of, and set the agenda for, its meetings.

5. A member who is a parent must not be:

(a) An employee of the school district;

(b) A relative within the third degree of consanguinity or affinity of an employee of the school district;

(c) A member of the board of trustees of the school district; or

(d) The spouse of a member of the board of trustees of the school district.

Sec. 7. *The chairman of a school council may appoint teachers who are assigned to teach at the school to various committees of the school council. Each committee may submit recommendations for consideration to the school council. Each committee shall elect a chairman who shall:*

1. Serve for a term of 1 year; and

2. Determine the frequency of, and set the agenda for, the meetings of the committee.

Sec. 8. *Subject to the terms of any existing written contract that has been entered into by the board of trustees of the school district:*

1. A school council shall determine the number of persons to be employed in each job classification at the school, after receiving notification from the board of trustees regarding the money available to the school for the school year.

2. A school council may select the teachers, principals and other necessary employees to be employed by the board of trustees to fill any vacancies that occur at the school after the school council is created.

Sec. 9. *A school council shall prescribe the rules to be enforced by the principal of the school regarding the:*

1. Curriculum and courses of study for the pupils of the school;

2. Assignment of the hours of employment of teachers and other employees of the school district;

3. Assignment of pupils to classes and programs;

4. Schedule of the hours during which the school will be in session, subject to the schedule providing a minimum of 180 days of school as established by the board of trustees pursuant to NRS 388.090;

5. Use of classrooms and other property of the school;

6. Practices of instruction to be used by teachers;

7. Discipline of pupils; and

8. Extracurricular programs to be offered by the school and the qualifications for participation by pupils in such programs.

Sec. 10. *1. Except as otherwise provided in section 11 of this act, a school council may select the textbooks, instructional materials, equipment and supplies that must be used in the school.*

2. Subject to available resources, the board of trustees of a school district shall allocate money to each school that is adequate to meet the costs relating to textbooks, instructional materials, equipment and supplies that have been selected by the school council.

Sec. 11. *The officers of a school district may prohibit a school council from selecting or allowing the use of textbooks or instructional materials of a sectarian or denominational character to avoid the forfeiture of the school district's right to receive money for public schools pursuant to the provisions of NRS 388.150.*

Sec. 12. *1. A school may submit, for the approval of the board of trustees of the school district and the state board, a model program of school-based decision making that differs from the structure set forth in sections 6 to 10, inclusive, of this act.*

2. The model program submitted to the board of trustees and the state board must:

(a) Include a description of the membership, organization, duties and responsibilities of the school council.

(b) Be accompanied by evidence showing that:

(1) Parents, pupils, teachers and administrators of the school have participated in the development of the model program; and

(2) Not less than two-thirds of the teachers assigned to teach at the school have voted in favor of the model program.

3. A model program that is approved by the board of trustees of the school district and the state board may be carried out by the school in lieu of the program described in sections 6 to 10, inclusive, of this act.

Sec. 13. *1. A superintendent, member of a board of trustees or employee of a school district shall not intentionally interfere with the functioning of a program of school-based decision making.*

2. A person who has been prevented from participating in a program of school-based decision making because of a violation of subsection 1 may file a written complaint with the board of trustees of the school district in which the school is located. The board of trustees shall investigate the complaint and, if it finds the complaint to be well founded, shall forward the matter to the state board.

3. The state board shall establish a hearing process for complaints for violations of the provisions of subsection 1 that provides the person who is alleged to have violated those provisions with reasonable notice of the hearing and an opportunity to respond and present evidence and argument.

4. Upon a finding of a first violation of the provisions of subsection 1, the state board may admonish the superintendent, member of a board of trustees or employee of a school district. For subsequent violations of subsection 1, the state board may dismiss the superintendent, member of a board of trustees or employee of a school district on the grounds of willful neglect of duty.

Sec. 14. *The provisions of NRS 385.110, 389.010, 389.020 to 389.180, inclusive, and 390.005 to 390.230, inclusive, do not apply to any public school in which a program of school-based decision making is required to be carried out pursuant to sections 2 to 14, inclusive, of this act.*

Sec. 15. NRS 385.007 is hereby amended to read as follows:

385.007 As used in this Title, unless the context otherwise requires:

1. "Department" means the department of education.

2. "Public schools" means all kindergartens and elementary schools, junior high schools and middle schools, high schools and any other schools, classes and educational programs which receive their support through public taxation and whose textbooks and courses of study are under the control of the state board [.] *or the school council of a school in which a program of school-based decision making is being carried out pursuant to sections 2 to 14, inclusive, of this act.*

3. "State board" means the state board of education.

Sec. 16. NRS 388.020 is hereby amended to read as follows:

388.020 1. An elementary school is a public school in which no grade work is given above that included in the eighth grade, according to the [regularly adopted state] course of study [.] *prescribed and approved by the state board or the school council of a school in which a program of school-based decision making is being carried out pursuant to sections 2 to 14, inclusive, of this act.*

2. A junior high or middle school is a public school in which the sixth, seventh, eighth and ninth grades are taught under a course of study prescribed and approved by the state board [of education.] *or a school council.* The school is an elementary or secondary school for the purpose of teachers' certifications.

3. A high school is a public school in which subjects above the eighth grade [,] *may be taught* according to the [state] course of study [, may be taught.] *prescribed and approved by the state board or a school council.* The school is a secondary school for the purpose of teachers' certifications.

4. A special school is an organized unit of instruction operating with approval of the state board of education.

Sec. 17. NRS 388.030 is hereby amended to read as follows:

388.030 The board of trustees of a school district may divide the public schools within the school district into kindergarten, elementary, high school and other permissible departments, and shall employ competent and legally qualified teachers for the instruction of the different departments, if:

1. The division into departments is in accordance with the [state] courses of study *prescribed and approved by the state board or a school council* and *with the* regulations of the state board *;* [of education;] and

2. There is money for all of the departments, or if money is not available for all of the departments, the division is made in the order in which the departments are named in this section.

Sec. 18. NRS 391.260 is hereby amended to read as follows:

391.260 Every teacher in the public schools shall enforce the [course] *courses* of study as prescribed by law [,] *or selected by a school council,* the use of [legally authorized textbooks,] *textbooks that have been approved by the state board or a school council,* and the rules and regulations prescribed for teachers and schools.

Sec. 19. NRS 392.463 is hereby amended to read as follows:

392.463 1. [Each] *Except as otherwise provided in subsection 2, each* school district shall prescribe written rules of behavior required of and prohibited for pupils attending school within [their] *the* district and shall prescribe appropriate punishments for violations of the rules.

2. In a school in which a program of school-based decision making is being carried out pursuant to sections 2 to 14, inclusive, of this act, the school council may prescribe the rules and punishments applicable to the pupils enrolled in that school.

3. If suspension or expulsion is used as a punishment for a violation of the rules, the school district *or school council* shall follow the procedures in NRS 392.467.

[2.] *4.* A copy of the *applicable* rules of behavior, prescribed punishments and procedures to be followed in imposing punishments must be distributed to each pupil at the beginning of the school year and to each new pupil who enters school during the year. Copies *of a school district's rules, punishments and procedures* must also be made available for inspection at each school located in that district *which has not prescribed its own rules pursuant to subsection 2,* in an area on the grounds of the school which is open to the public.

Sec. 20. NRS 392.464 is hereby amended to read as follows:

392.464 1. [The] *Except as otherwise provided in subsection 2, the* board of trustees of each school district shall adopt and enforce measures for disciplining any pupil who is found in possession of an alcoholic beverage or a controlled substance, while on the premises of any public school in its district.

2. In a school in which a program of school-based decision making is being carried out pursuant to sections 2 to 14, inclusive, of this act, the school council may prescribe the disciplinary measures applicable to the pupils enrolled in that school.

3. As used in this section, "alcoholic beverage" has the meaning ascribed to it in NRS 202.015.

Sec. 21. NRS 393.170 is hereby amended to read as follows:

393.170 1. The board of trustees of a school district shall purchase all new library books and supplies, all new textbooks and supplementary schoolbooks which are necessary and have been approved by the state board of

education [,] *or a school council,* and school supplies necessary to carry out the mandates of the *various* school [curriculum] *curricula* to be used by the pupils of the school district. The cost of the books and supplies is a legal charge against the school district fund.

2. All books purchased by the board of trustees must be held as property of the school district [,] and must be loaned to the pupils of the school in the school district while pursuing a course of study therein.

3. The parents and guardians of pupils are responsible for all books and [any and all] other material or equipment loaned to the children in their charge, and shall pay to the clerk of the board of trustees, or to any other person authorized by the board to receive the same, the full purchase price of all such books, material or equipment destroyed, lost or so damaged as to make them unfit for use by other pupils . [succeeding to their classes.] The board of trustees shall establish reasonable rules and regulations governing the care and custody of such school property, and for the payment of fines for damage thereto.

4. Equipment and materials for use in manual training, industrial training and teaching domestic science may be supplied to the pupils in the same manner, out of the same fund, and on the same terms and conditions as books. No private ownership may be acquired in such equipment or material, unless sold in the manner prescribed by law when such equipment or material [are] *is* no longer used or required for the schools of the school district.

5. Authorized supplementary books and desk books for the use of teachers must be purchased under NRS 393.160 to 393.210, inclusive, and remain the property of the school district for which they were purchased, unless sold in accordance with the provisions of this chapter.

6. The clerk of the board of trustees shall turn over to the county treasurer, within 30 days after receiving it, all money [,] collected under the provisions of this section . [, and the] *The* money must be credited to the school district fund.

7. Any person violating any of the provisions of this section is guilty of a misdemeanor.

Sec. 22. On or before January 1, 1994, the board of trustees of each school district shall prescribe rules relating to school-based decision making pursuant to the requirements of section 5 of this act.

Sec. 23. 1. This section and sections 1, 2, 3, and 5 to 22, inclusive, of this act become effective on July 1, 1993.

2. Section 4 of this act becomes effective on October 1, 1994, and expires by limitation on October 1, 1995.

3. Section 3 of this act expires by limitation on October 1, 1994.